

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

EUGENE ANTHONY and AMANDA HOLT,
On Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.
PHARMAVITE LLC, a California limited
liability company,

Defendant.

Case No.: 18-cv-02636-EMC

CLASS ACTION

**[PROPOSED] ORDER GRANTING
STIPULATION FOR DISMISSAL OF
ACTION PURSUANT TO FED. R. CIV. P.
41(A)**

Hon. Edward M. Chen

Having read and considered the Stipulation for Dismissal of Action Pursuant to Fed. R. Civ. P. 41(a), and good cause appearing therefor, the Court **GRANTS** the relief requested by the Parties' Stipulation. Plaintiff Eugene Anthony's individual claims are voluntarily dismissed *with* prejudice, and the class claims are dismissed *without* prejudice. Because a class has not yet been certified in this action, the rights of anyone who might have been in a class for which certification was sought will not be affected, and those individuals will not be prejudiced by dismissal of the action. Accordingly, no classwide notice to anyone who might have been in a class for which certification was sought is required under Federal Rule of Civil Procedure 23(e). Each Party shall pay his/its own attorneys' fees and costs.

IT IS SO ORDERED.

Dated: February 12, 2021


Hon. Edward M. Chen